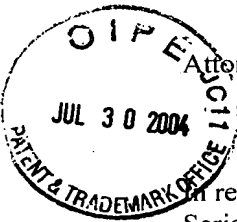


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Attorney Docket No.: 5218-39C

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Anagnostou et al.

Serial No.: 09/525,808

Filed: March 15, 2000

For: *METHOD OF TREATING ENDOTHELIAL INJURY*

Confirmation No. 9764

Group Art Unit: 1642

Examiner: Christopher H. Yaen

July 30, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC §134, 37 CFR 1.191, and MPEP §1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated February 6, 2004, at least twice rejected or finally rejecting claims 16-22, 31-33, 35-38 and 40.

- ☐ Enclosed is a check including the amount of \$_____ for the Appeal fee as provided by 37 C.F.R. § 1.17(b).
- ☐ Payment by credit card is requested. Form PTO-2038 is attached.
- ☒ A petition for an extension of time under 37 CFR 1.136(a) is enclosed.
- ☐ Also enclosed: _____
- ☒ The Commissioner is authorized to charge Deposit Account 50-0220 for the Notice of Appeal fee (37 CFR 1.17(b)), and/or any other fees required for this response, or credit for any excess fee paid.

08/03/2004 HALI11 00000009 500220 09525808
01 FC:1401 330.00 DA

Respectfully submitted,

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CERTIFICATE OF EXPRESS MAILING

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Date of Deposit: July 30, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan E. Freedman

Date of Signature: July 30, 2004